

is a directory of other information interfaces and allows operation profiles to be added, as needed, which can support additional tags.

REMARKS

Claims 1 through 19 are pending in the present application. Claim 20 has been newly added.

The Final Office Action dated December 26, 2002, rejected claims 1 through 19 under 35 U.S.C. 102(e) as being anticipated by PCT International Application No. WO 00/49838 to Raymond et al. ("the Raymond patent"). In addition, the Action rejected claims 3, 4, 11, 12, and 19 under 35 U.S.C. 103(a) as being unpatentable over the Raymond patent in view of the teachings thereof.

A rejection under 35 U.S.C. §102 requires that the prior art teach each and every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

It is respectfully submitted that present claim 1 is patentable over the Raymond patent, and further that claim 1 defines an invention that is neither disclosed nor suggested by the cited reference.

The Raymond patent is specifically directed to a food preparation appliance having a heating system (15) with multiple heating devices (e.g., magnetrons, resistive elements, quartz lamps, and halogen lamps) and a fan. The appliance defined by the Raymond patent has a microprocessor (8) linked to heating system (15) to independently control the operation of the multiple heating devices and the fan. The microprocessor can access internal/external databases with information for operation of the heating system. The appliance also has a scanner (7) linked to microprocessor (8) for scanning a code/symbol and initiate the microprocessor to access the operational information. In addition, the Raymond patent suggests that the appliance can have a feedback control system with temperature and moisture sensors to provide feedback to the microprocessor such that the heating system may be modified accordingly.

Notwithstanding the foregoing, it is respectfully submitted that the Raymond patent does not disclose or suggest "a communication unit capable of communicating with a first information interface having an index and/or one or more other information interfaces" (emphasis added). It is also noted that the Raymond patent likewise fails to disclose or suggest that the "request" and "response" be "formatted as documents capable of being exchanged in a distributed, decentralized environment." Thus, as the Raymond patent neither expressly nor inherently discloses/suggests all of the features set forth in claim 1, reconsideration and withdrawal of the rejection, and allowance of claim 1, are respectfully requested.

Claims 2 through 8, which depend either directly or indirectly from claim 1, are patentable at least for the reasons stated above with respect to claim 1. Accordingly,

reconsideration and withdrawal of the rejection, and allowance of present claims 2 through 8, are respectfully requested.

Regarding claim 9 and 10 through 17, which depend either directly or indirectly from claim 9, it is respectfully submitted that each claim is patentable over the Raymond patent at least for the reasons stated above with respect to claim 1. Thus, reconsideration and withdrawal of the rejection, and allowance of claims 9 and 10 through 17, are respectfully requested.

Regarding claim 18, it is respectfully submitted that claim 18 is patentable over the Raymond patent, and that claim 18 defines an invention that is neither disclosed nor suggested by the Raymond patent.

It is respectfully submitted that in addition to failing to disclose or suggest, as noted in the Action, "the specific format (i.e., XML or other version thereof) of the documents", the Raymond patent also fails to disclose or suggest "a receiving means ... including a micro XML parser" (emphasis added). In addition, it is noted that because the Raymond patent fails to disclose or suggest every feature of claim 18, it is necessary to show that the Raymond patent itself suggest the modification recommended in the Action and/or that the cited reference provide a reason or motivation for making such modification. It is respectfully submitted that the Raymond patent not only fails to disclose all of the features of claim 18, but also fails to provide any suggestion, reason and/or motivation for making the modification proposed in the Action.

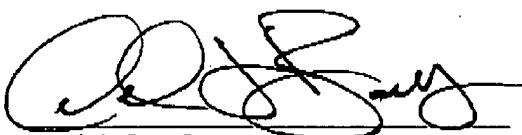
Claim 19, which depends from claim 18, is patentable at least for the reasons stated above with respect to claim 18.

Accordingly, reconsideration and withdrawal of the rejection, and allowance of present claim 19, are respectfully requested.

Regarding newly added claim 20, which depends directly from claim 1, it is respectfully submitted that the subject matter thereof is fully supported by the specification and thus does not contain any new matter. It is further respectfully submitted that claim 20 is patentable at least for the reasons stated above with respect to claim 1.

In sum, it is respectfully submitted that the pending present claims are patentable over the cited reference. Thus, this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections of the claims are respectfully requested.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS**

Please amend claims 1 and 9, and add claim 20 as follows:

1. (Twice amended) An apparatus comprising:

a label reader capable of reading information from a label;

a communication unit capable of communicating [information to one or more] with a first information interface having an index and/or one or more other information interfaces;

an operation unit having one or more adjustable operational parameters associated with one or more operation profiles [that may be adjusted]; and

a controller, coupled to the label reader, the communication unit and the operation unit, arranged to (1) receive information from the label reader, (2) send a request to [one or more of the] the first information interface and/or one or more other information interfaces through the communication unit, (3) receive a response from one or more information interfaces, and (4) adjust the operation parameters of the operation unit in accordance with the response,

wherein the request and the response are formatted as documents capable of being exchanged in a distributed, decentralized environment.

9. (Twice amended) An apparatus comprising:

a memory; and

a processor coupled to the memory and operative to read information from a tag, communicate [the information to an information interface] with a first information interface having an index and/or one or more other information interfaces, receive a response from the one or more information [interface] interfaces, and adjust [an operation parameter] one or more operational parameters of an operation unit in accordance with the response,

wherein the request and the response are formatted as documents capable of being exchanged in a distributed, decentralized environment.

NEWLY ADDED CLAIMS

20. The apparatus according to claim 1, wherein the index is a directory of other information interfaces and allows operation profiles to be added, as needed, which can support additional tags.

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